

SENATE BILL No. 61

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-8.1-7.

Synopsis: Varicella immunizations. Requires every child in kindergarten or first grade to receive a varicella immunization. Requires schools to report to the state department of health and the local department of health regarding the number of students who have received the varicella immunization.

Effective: July 1, 2004.

Simpson

November 21, 2003, read first time and referred to Committee on Health and Provider Services.

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Introduced

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

SENATE BILL No. 61

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 20-8.1-7-9.5, AS AMENDED BY P.L.244-2003,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2004]: Sec. 9.5. (a) Every child residing in Indiana shall be
4 immunized against:
5 (1) diphtheria;
6 (2) pertussis (whooping cough);
7 (3) tetanus;
8 (4) measles;
9 (5) rubella;
10 (6) poliomyelitis; and
11 (7) mumps.
12 (b) Every child residing in Indiana who enters kindergarten or grade
13 1 shall be immunized against hepatitis B and ~~chicken pox~~ **varicella**.
14 (c) The state department of health may expand or otherwise modify
15 the list of communicable diseases that require documentation of
16 immunity as medical information becomes available that would warrant
17 the expansion or modification in the interest of public health.

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(d) The state department of health shall adopt rules under IC 4-22-2 specifying the:

- (1) required immunizations;
- (2) child's age for administering each vaccine;
- (3) adequately immunizing doses; and
- (4) method of documentation of proof of immunity.

(e) Each school shall notify each parent of a child who enrolls in the school of the requirement that the child must be immunized and that the immunization is required for the child's continued enrollment, attendance, or residence at the school unless:

- (1) the parent or child provides the appropriate documentation of immunity;
- (2) for ~~chicken pox~~, **varicella**, the parent or child provides a written signed statement that the child has indicated a history of ~~chicken pox~~, **varicella**; or
- (3) section 2 or 2.5 of this chapter applies.

SECTION 2. IC 20-8.1-7-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 11. (a) Not later than sixty (60) days after the enrollment of children for the first time and when additional immunizations are required by statute or rule, each school shall file a written report with the state department of health and the local health department having jurisdiction. The report shall include the following:

- (1) A statement of the number of children who have demonstrated immunity against diphtheria, pertussis (whooping cough), tetanus, measles, rubella, poliomyelitis, mumps, ~~and~~ hepatitis B, ~~and~~ **varicella**.
- (2) A statement of the number of children who have not demonstrated immunity against the illnesses listed in subdivision (1).
- (3) A statement of the number of children who have been found positive for sickle cell anemia and lead poisoning.

(b) The state department of health and the local health department shall, for good cause shown that there exists a substantial threat to the health and safety of a student or the school community, be able to validate immunization reports by onsite reviews or examinations of nonidentifying immunization record data. This section does not independently authorize the state department of health, a local department of health, or an agent of the state or local department of health to have access to identifying medical or academic record data of individual students attending nonaccredited nonpublic schools.

(c) A report shall also be filed for each child who enrolls subsequent

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1 to the filing of the report for children who enrolled at the beginning of
2 the school year. The state department of health shall have exclusive
3 power to adopt rules for the administration of this section.

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